

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA

CASE NO. 2:07-CR-20051-01

VERSUS

JUDGE JAMES D. CAIN, JR.

DAGOBERTO SANCHEZ (01)

MAGISTRATE JUDGE KAY

**ORDER**

Before the court is a Motion to Vacate, Set Aside, or Correct Sentence, filed by defendant Dagoberto Sanchez under 28 U.S.C. § 2255. Doc. 123. Sanchez challenges the application of a sentencing enhancement (18 U.S.C. § 924(c)) to his case for possession of a firearm during a crime of violence, alleging that the provision is unconstitutionally vague under *Johnson v. United States*, \_\_\_ U.S. \_\_\_, 135 S.Ct. 2251 (2015). The court granted his motion to hold the case in abeyance pending a decision from the United States Supreme Court in *United States v. Davis*, \_\_\_ U.S. \_\_\_, 139 S.Ct. 2319 (2019). Doc. 131. A decision has now been reached in *Davis*. Accordingly, in order for this matter to come to a resolution, the stay is hereby lifted. Sanchez is granted **90 days** from the date of this order to file an amended § 2255 motion, after which the government will have **60 days** to respond and Sanchez will have an additional **30 days** to file any reply.

THUS DONE in Chambers on this 17 day of July, 2019.



JAMES D. CAIN, JR.  
UNITED STATES DISTRICT JUDGE